IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

WRIT CONTEMPT No. 237 of 2005

MURLIDHAR CHAWARIA
V/S
KUMARI RENU JAIPAL & ANR.

Mr. JS BHALERIA for Mr. HS SIDHU, for the appellant / petitioner

Mr. SS LADRECHA,AGA, for the respondent

Date of Order : 4.7.2006

HON'BLE SHRI N P GUPTA,J.

ORDER

It is not in dispute that the petitioner is being paid the salary of U.D.C. on which post he is said to have been promoted.

In my view, a combined reading of the orders passed by me on 25.9.2001 read with the order dt. 9.5.2002, the respondents were not to take the work of Sanitary Inspector from the petitioner. The contempt petition has being filed laying the claim for salary for the post of Sanitary Inspector to which the petitioner cannot be held entitled, and is not entitled. It is not the averment in the contempt that the work of Sanitary Inspector is being taken from the petitioner. All that has been alleged in para 5 is that on 14.7.2005 he submitted an application, and a look at that application shows that it is averred

therein that this Court gave a decision on 9.5.2002 directing grant of pay scale, and allowances of the post of Sanitary Inspector to the petitioner. With this it is alleged therein that he is working as Sanitary Inspector since 1984, and therefore, prayed for being released the pay scale and allowances.

To say the least, the averments of the application regarding the order of this Court are a patent misrepresentation. Thus, in my view, no contempt is made out. The contempt petition is, therefore, dismissed.

(N P GUPTA),J.

/Sushil/